

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

0100-0367

Case Title:

Exxon Mobil

Subject of Report:

Interview of (b)(6), (b)(7)(C) MST1

Copies to:

Reporting Office:

Boston, MA, Area Office

Activity Date:

July 24, 2006

Related Files:

Reporting Official and Date:

(b)(6), (b)(7)(C) SAGT
24-JUL-2006

Approving Official and Date:

(b)(6), (b)(7)(C) SAC
24-JUL-2006

SYNOPSIS

On June 20, 2006, (b)(6), (b)(7)(C) MST1, U.S. Coast Guard Sector Boston, was interviewed by EPA-CID Special Agents (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) relative to a petroleum spill which occurred at the Island End/Mystic Rivers on January 10 and or 11, 2006. (b)(6), (b)(7)(C) was interviewed to gather information in addendum to (b)(6), (b)(7)(C) "Witness Statement" dated January 24, 2006.

DETAILS

On June 20, 2006, (b)(6), (b)(7)(C) MST1, U.S. Coast Guard Sector Boston, was interviewed by EPA-CID Special Agents (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) relative to a petroleum spill which occurred at the Island End/Mystic Rivers on January 10 and or 11, 2006. (b)(6), (b)(7)(C) was interviewed to gather information in addendum to (b)(6), (b)(7)(C) "Witness Statement" dated January 24, 2006. (b)(6), (b)(7)(C) stated, in substance, the following:

(b)(6), (b)(7)(C) has been with the Coast Guard for approximately nine (9) years, the majority of which has been spent in Sector Boston. (b)(6), (b)(7)(C) has responded to hundreds of oil spills during that time, including many major oil spills while stationed in Philadelphia

On January 9, 2006 (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) responded to a reported sheen in the water located in the vicinity of Procter and Gamble New England. Once there, they observed an oily sheen around the M/V SWAN. (b)(6), (b)(7)(C) said it was "very clear" that the product observed in this sheen was not the same that (b)(6), (b)(7)(C) observed on January 11. The odor and appearance was quite different; it was weathered.

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On January 11, 2006, (b)(6), (b)(7)(C) arrived on scene at ExxonMobil's docks at approximately 1120 hours. The "Pollution Witness Statement" form that (b)(6), (b)(7) filled out was completed by (b)(6), later in the day when (b)(6), (b)(7)(C) returned with Chief (b)(6), (b)(7) to take samples. (b)(6), had filled out the form, but refused to sign it.

At approximately 1130 hours, the containment pan at ExxonMobil's berth #1 was sampled. The containment pan was "filled to the brink" with product.

There was an aqua-colored product in the pan that matched the aqua colored product (b) observed in the oil sheen on the water. The sheen began at the #1 berth and "flowed like a serpent down the river." There was no plume observed upstream of berth #1, (b)(6), (b)(7)(C) walked upstream to Prolerized and observed no other source of the sheen that emerged downstream from berth #1. It was apparent to (b)(6), (b)(7)(C) that berth #1 was the source of the product in the water.

While initially at berth #1, (b)(6), (b)(7)(C) did not observe any active overflowing of the containment pan although the level was very near the top of the pan. (b) did not see a vacuum truck nor did (b) observe anyone actively draining the containment pan. (b) did not recall specifically observing staining on the decking. The color of the product in the pan was an exact match to the color of product in the water.

When (b)(6), (b)(7) arrived at berth #1, approximately 15 minutes after (b)(6), (b)(7)(C) arrived, (b) argued over the need apply spill booms to the water surface and maintained that the ExxonMobil could not have been the source of product in the water. (b)(6), (b)(7)(C) began taking photographs of the berth area and recorded these in a log (b) kept. (b)(6), and (b)(6), (b) arrived shortly thereafter.

(b)(6), (b)(7)(C) explained to (b)(6), that (b) had a problem and that berth #1 was the obvious source of the spill in the water. (b)(6), was arrogant and refused to accept responsibility for being the source of the spill. "(b) was in denial right from the start," added (b)(6), (b)(7)(C) (b)(6), mentioned that a valve had leaked and that was the source of product in the pan. After taking the necessary samples, (b)(6), (b)(7)(C) and (b)(6), (b) met with the other Coast Guard staff around 1300 to 1315 hours.

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